



General Assembly

February Session, 2008

Raised Bill No. 5725

LCO No. 2600

02600_____ET_

Referred to Committee on Energy and Technology

Introduced by:
(ET)

AN ACT CONCERNING THE CONNECTICUT SITING COUNCIL.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (f) of section 16-50j of the 2008 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective from passage*):

4 (f) The public members of the council, including the chairman, the
5 members appointed by the speaker of the House and president pro
6 tempore of the Senate and the four ad hoc members specified in
7 subsection (c) of this section, shall be compensated for their attendance
8 at public hearings, executive sessions, or other council business as may
9 require their attendance at the rate of two hundred dollars, provided in
10 no case shall the daily compensation exceed two hundred dollars.
11 Council members shall receive reimbursement for their necessary
12 expenses incurred in the discharge of their official duties.

13 Sec. 2. Section 16-50r of the general statutes is repealed and the
14 following is substituted in lieu thereof (*Effective from passage*):

15 (a) Every person engaged in electric transmission services, as

16 defined in section 16-1 of the 2008 supplement to the general statutes,
17 electric generation services, as defined in said section, or electric
18 distribution services, as defined in said section generating electric
19 power in the state utilizing a generating facility with a capacity greater
20 than one megawatt, shall, annually, on or before March first, file a
21 report on a forecast of loads and resources which may consist of an
22 update of the previous year's report with the council for its review. The
23 report shall cover the ten-year forecast period beginning with the year
24 of the report. Upon request, the report shall be made available to the
25 public. The report shall include, as applicable: (1) A tabulation of
26 estimated peak loads, resources and margins for each year; (2) data on
27 energy use and peak loads for the five preceding calendar years; (3) a
28 list of existing generating facilities in service; (4) a list of scheduled
29 generating facilities for which property has been acquired, for which
30 certificates have been issued and for which certificate applications
31 have been filed; (5) a list of planned generating units at plant locations
32 for which property has been acquired, or at plant locations not yet
33 acquired, that will be needed to provide estimated additional electrical
34 requirements, and the location of such facilities; (6) a list of planned
35 transmission lines on which proposed route reviews are being
36 undertaken or for which certificate applications have already been
37 filed; (7) a description of the steps taken to upgrade existing facilities
38 and to eliminate overhead transmission and distribution lines in
39 accordance with the regulations and standards described in section 16-
40 50t; and (8) for each private power producer having a facility
41 generating more than one megawatt and from whom the person
42 furnishing the report has purchased electricity during the preceding
43 calendar year, a statement including the name, location, size and type
44 of generating facility, the fuel consumed by the facility and the by-
45 product of the consumption.

46 (b) Every person engaged in natural gas transmission services,
47 natural gas storage services or natural gas distribution services in the
48 state shall, on or before March 1, 2009, and biennially thereafter, file a
49 report on a forecast of natural gas consumption and resources. The

50 report shall cover the ten-year forecast period beginning with the year
51 of the report. Upon request, the report shall be made available to the
52 public. The report shall include, as applicable: (1) A tabulation of
53 estimated natural gas consumption, resources and margins for each
54 year; (2) data on natural gas consumption and resources for the five
55 preceding calendar years; (3) a list of existing natural gas transmission
56 facilities in service; (4) a list of scheduled natural gas transmission
57 facilities for which property has been acquired, for which certificates
58 have been issued or for which certificate applications have been filed;
59 (5) a list of planned natural gas transmission facilities for which
60 property has been acquired or at facility locations not yet acquired that
61 will be needed to provide estimated additional natural gas
62 requirements and the location of such facilities; and (6) a list of
63 planned natural gas transmission lines.

64 (c) Confidential, proprietary or trade secret information provided
65 under this section may be submitted under a duly granted protective
66 order. The council may adopt regulations, in accordance with the
67 provisions of chapter 54, that specify the expected filing requirements,
68 [for persons that transmit electric power in the state, electric
69 distribution companies, and persons that generate electric power in the
70 state utilizing a generating facility with a capacity of greater than one
71 megawatt.] Until such regulations are adopted, persons that transmit
72 or distribute electric power or transmit, distribute or store natural gas
73 in the state shall file reports pursuant to this [section that include the
74 information requested in subdivisions (6) and (7) of this subsection;
75 electric distribution companies in the state shall file reports pursuant
76 to this section that include the information requested in subdivisions
77 (1), (2), (7) and (8) of this subsection; persons that generate electric
78 power in the state utilizing a generating facility with a capacity greater
79 than one megawatt shall file reports pursuant to this section that
80 include the information requested in subdivisions (3), (4), (5) and (8) of
81 this subsection] section. The council shall hold a public hearing on
82 such filed electric forecast reports annually and such filed natural gas
83 forecast reports biennially. The council shall conduct a review in an

84 executive session of any confidential, proprietary or trade secret
85 information submitted under a protective order during such a hearing.
86 At least one session of such hearing shall be held after six-thirty p.m.
87 Upon reviewing such forecast reports, the council [may] shall issue its
88 own report assessing the overall status of natural gas loads,
89 consumption and resources in the state. [If the council issues such a]
90 Such report [, it] shall be made available to the public and shall be
91 furnished to the Connecticut Energy Advisory Board, established
92 pursuant to section 16a-3, and each member of the joint standing
93 committee of the General Assembly having cognizance of matters
94 relating to energy and technology, any other member of the General
95 Assembly making a written request to the council for the report and
96 such other state and municipal bodies as the council may designate.
97 The council shall publish the report, on its web site and otherwise
98 distribute it to meet the informational needs of interested people.

99 [(b)] (d) On October 1, 1994, and not less than once every five years
100 thereafter, the council shall establish a proceeding to investigate and
101 determine life-cycle costs for both overhead and underground
102 transmission line alternatives. The council shall determine the
103 schedule and scope of the investigation at a publicly noticed meeting
104 held not earlier than ninety days preceding the first public hearing on
105 the matter. The scope of the investigation shall include, but not be
106 limited to, an inquiry of all relevant life-cycle costs, relative reliability,
107 constraints concerning access and construction, potential damage to
108 the environment and compatibility with the existing electric supply
109 system. As part of the investigation the council shall hold public
110 hearings which shall afford all interested parties opportunity to be
111 heard. At least one public hearing shall be held after six-thirty p.m.

112 [(c)] (e) An investigation conducted pursuant to subsection [(b)] (d)
113 of this section may include the retention of consultants, manufacturers
114 and other experts necessary for the council to objectively determine the
115 range of life-cycle costs of such alternatives. No such consultant,
116 manufacturer or expert shall have any financial interest in, or, in the

117 twelve months preceding the investigation, have engaged in any
118 business, employment or professional activity for compensation with a
119 corporation, company, association, joint stock association, partnership
120 or person, or lessee thereof, owning, leasing, maintaining, operating,
121 managing or controlling poles, wires, conduits or other fixtures, along
122 public highways or streets, for the transmission or distribution of
123 electric current for sale for light, heat or power within the state, or with
124 a person, firm or corporation which manufactures such poles, wires,
125 conduits or other fixtures. The council shall apportion and assess its
126 expenses for consultants, hearing facilities, stenographic reports and
127 other reasonable and necessary expenses of conducting such an
128 investigation among those persons, firms and corporations having
129 gross revenues from the retail sale of electric power in excess of one
130 hundred thousand dollars during the preceding calendar year. The
131 council shall assess each such person, firm or corporation in
132 proportion of its gross revenues to the aggregate gross revenues of all
133 such persons, firms and corporations. Each person, firm or corporation
134 subject to an assessment shall pay its assessed amount not later than
135 thirty days after receiving notice of its assessment or as specified by
136 the council. Prior to incurring expenses for which assessments shall be
137 made under this subsection, the council shall review the anticipated
138 expenses at a public meeting, notice of which shall be given to each
139 person, firm or corporation subject to an assessment. A person, firm or
140 corporation may object to an assessment made pursuant to this
141 subsection by filing with the council, not later than thirty days after
142 receiving notice of its assessment, a petition stating the amount of the
143 assessment to which it objects and the grounds upon which it claims
144 such assessment is excessive, erroneous, unlawful or invalid. Upon the
145 request of the petitioner, the council shall hold a hearing. After
146 reviewing the company's petition and testimony, if any, the council
147 shall issue an order in accordance with its findings. The petitioner shall
148 pay the council the amount indicated in the order not later than thirty
149 days after the date of the order.

150 ~~[(d)]~~ (f) The council shall remit all payments received pursuant to

151 this section to the State Treasurer for deposit in the Siting Council
152 Fund. Such payments shall be accounted for as expenses recovered
153 from electric power suppliers. All payments made under this section
154 shall be in addition to any taxes payable to the state under chapters
155 211, 212, 212a and 219.

156 [(e)] (g) An assessment unpaid on the due date or any portion of an
157 assessment withheld after the due date under this section shall be
158 subject to interest at the rate of one and one-fourth per cent per month
159 or fraction thereof.

160 Sec. 3. Subsection (b) of section 16a-3 of the 2008 supplement to the
161 general statutes is repealed and the following is substituted in lieu
162 thereof (*Effective from passage*):

163 (b) The board shall (1) represent the state in regional energy system
164 planning processes conducted by the regional independent system
165 operator, as defined in section 16-1 of the 2008 supplement to the
166 general statutes; (2) encourage representatives from the municipalities
167 that are affected by a proposed project of regional significance to
168 participate in regional energy system planning processes conducted by
169 the regional independent system operator; (3) participate in a forecast
170 proceeding conducted pursuant to [subsection] subsections (a) and (b)
171 of section 16-50r, as amended by this act; (4) participate in a life-cycle
172 proceeding conducted pursuant to subsection [(b)] (d) of section 16-
173 50r, as amended by this act; and (5) review the procurement plan
174 submitted by the electric distribution companies pursuant to section
175 16a-3a of the 2008 supplement to the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	16-50j(f)
Sec. 2	<i>from passage</i>	16-50r
Sec. 3	<i>from passage</i>	16a-3(b)

Statement of Purpose:

To allow siting council members to be reimbursed for necessary expenses and to require the siting council to report biennially on the forecast of natural gas consumption and resources.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]